

City of Taylorsville
Planning Commission Meeting
Minutes
Tuesday – March 28, 2006 – 6:00 P.M.
2600 West Taylorsville Blvd – Council Chambers

Attendance:

Planning Commission

Kristie Overson, Chair
Ted Jensen
Scott Bolton
Blaine Smith
Joan Rushton-Carlson
Robert Daniels
Excused: Commissioner Calacino
Commissioner Barbour

Community Development Staff

Mark McGrath, Director
Michael Maloy, City Planner
Dan Udall, City Planner
Nick Norris, City Planner
Jean Gallegos, Admin Asst/Recorder

PUBLIC: Gonsalvo Stevens (Ivory Development) and a Boy Scout Troop.

WELCOME: **Commissioner Overson** welcomed those present, explained the process to be followed this evening and opened the meeting at 6:00 p.m.

CONDITIONAL USE

1. 46C05 **Ivory Development, 3200 W. 6200 S.** – Conceptual discussion of the amended “The Towns at Ivory Highlands” site plan. Nick Norris/City Planner

1.1 **Mr. Norris** oriented on the site plan, aerial map and images. [18:01:39](#) In February 2006, the Planning Commission granted preliminary approval to this project. The approval included a list of conditions. The major conditions of approval included making the road public and calculating the density based on the net land area, excluding the area for commercial uses and the road. The submitted site plan indicated 37 dwelling units. The approval reduced that number to 28. Since that approval, the applicant has submitted an appeal to the City Council. They have also submitted an amended application for review. This application removes the commercial area and adds more land to residential uses. The site plan shows 38 residential units. The applicant is applying for a Planned Unit Development. The underlying use in the PUD is a Dwelling Group. The PUD Ordinance (specifically chapter 13.42.030, allows the Planning Commission to waive or alter one or more of the regulations, other than use regulations, of the zoning district in which the development is located. In this particular case, the applicant is asking to modify the definition of a Dwelling Group, specifically the portion of the definition that deals with ownership. The Dwelling Group is defined as a “group of two (2) or more dwellings located on a parcel of land in one ownership and having any yard or court in common.” PUD’s are conditional uses in the C-2 zone provided the underlying uses are listed as either permitted or conditional uses. A dwelling group is listed in the C-2 zone. In addition to removing the commercial element, the uphill units have been rotated 90°. The main open space area has been shifted to the east so that it is on the corner of Cisco Ridge Road and 6200 South. The number of units per building has changed. The original site plan showed either 3 or 4 units per structure. This site plan shows a two unit structure as part of the downhill units and the rest of the structures have four units each. Staff does not make recommendations at the conceptual level. The conceptual review is intended to identify the key issues and discuss the potential impacts of the development.

ANALYSIS AND ISSUES:

▪ **APPLICABLE ZONING ORDINANCES**

There are multiple chapters that will influence this proposal. The following list is a brief list and analysis to identify the major issues that should be addressed prior to the Preliminary Submittal. It is possible that additional regulations will be identified as a more thorough review of the project is performed during the preliminary review process.

Ordinance 13.28.040 lists the conditional uses in the C-2 zone. Under dwelling group, specific regulations are listed. The applicant has not indicated to staff that they are asking to modify any of the regulations of dwelling groups other than amending the definition. These regulations include:

1. The area must be equal to the aggregate of the minimum lot area otherwise required in the zone for the number of individual dwelling structures in the group. The minimum lot size is listed in Ordinance 13.28.060. For 38 dwelling units, the minimum lot area is 53,750 square feet. The total area of the development is 4.3 acres (187,308 square feet). The maximum density is also listed in Ordinance 13.28.060 and 8s 9 units per acre. According to the gross land area, up to 38 units could be allowed.
2. The setback between the principal buildings and the perimeter lot line shall be at least 15 feet and the distance between the buildings and a public street must be at least the front yard setback found in the zoning district (in this case 25 feet) and when located on a corner, the corner side yard setback shall be at least 20 feet. This site plan meets the minimum setback requirements.
3. Access shall be provided by a private street or right of way from a public street. The private street shall be at least 30 feet wide for three or more dwelling units. The private street on the submitted sit plan is approximately 27 feet wide.
4. Two parking spaces are required per unit. These units have a two-car garage that meets the minimum parking requirements. Each unit also has a driveway that is approximately 20 feet long that could accommodate two additional vehicles.
5. Parking areas shall not include any part of the required front yard or side yard adjacent to the street. The only areas for parking indicated are the private garages and driveways. There are no additional parking areas on the site.
6. This item deals with screening parking areas that are adjacent to residential uses. This would not apply unless some provisions for guest parking were added.
7. This item requires a clear view be maintained at the intersection of the private street and the public streets. The minimum standard is nothing in excess of two feet in height for a distance of 40 feet along both streets.
8. Public access is required to be from a public street that is at least 60 feet. 3200 West is approximately 70 feet and the Cisco Ridge Road right of way is 50 feet.
9. The front and side yards next to a public street shall be landscaped in accordance with a plan prepared by a landscape architect specifying the types, sizes and location of plants. The following are a minimum number of plants required: 2 trees per thousand square feet of ground or main floor level; one shrub per six linear feet of building foundation (shrubs may be grouped); grass or other plantings installed in all areas not used for building parking, walks, or drives; and an automatic sprinkling system is required. To calculate the total number of trees required, the footprint of the buildings must be included. This was submitted as part of the initial application but will change due to the alterations of the site plan.
10. A five foot landscaping area must be provided between the drive and parking area adjacent to residential property lines and be planted with a minimum of one tree per 25 linear feet of landscaping area. The site plan does indicate trees along the private street that meet this qualification.
11. If a 6 foot high visual barrier is to be installed adjacent to a public street, it shall be no closer than 10 feet to the sidewalk. The site plan does not indicate a 6 foot high barrier fence. This regulation would not apply unless the applicant indicates a 6 foot high barrier fence.
12. Open space is required equal to a minimum of 25 square feet per dwelling unit. According to this regulation, 950 square feet of open space would be required. The applicant has indicated that a 1.9 acre (43%) of the site will be open space.
13. Exterior lighting shall be provided on any public road where lighting is not already in place, parking areas are to be illuminated and all lighting must be shielded so that it does not shine into surrounding residences. Street lighting is in place along Cisco Ridge Road, 6250 South and 6200 South.
14. Buildings higher than one story will be evaluated on the basis of the proposed building height, mass, materials, spacing and privacy considerations. It is unclear how the building elevations will change due to the change in site plans. More information will be required to further evaluate this item. The western-most downhill unit may create some privacy issues with the existing single family dwelling in Ivory Highlands Phase 10.
15. Residential structures that are greater than one story in height and adjacent to existing single or two family dwellings may add one additional floor to the height for each additional thirty foot increase in rear yard or side yard greater than the requires 15 feet perimeter setback. The western-most downhill unit is adjacent to a single family dwelling.

16. Buildings that face each other must be separated by a minimum of 50 feet. Buildings which side on another building shall be separated by at least 16 feet. The buildings along the private drive are the only buildings that face each other. They are approximately 70 feet apart. The uphill units are all over 16 feet apart. The distance between the downhill structures varies from 14 feet to over 20 feet depending on where you measure along the side walls of the structure.

Other ordinances that apply include the standard regulations in Chapter 13.28. A conceptual review of the regulations of Chapter 13.28 indicates that the project complies with these regulations. Ordinance 13.40, "Supplementary and Qualifying Regulations" also applies. Specifically, the following ordinances apply:

- 13.40.090 Lots and Building on Private Rights of Way (allows lots under a half acre to be accessed by a private road when approved as part of a PUD).
- 13.40.160 Intersecting streets and clear visibility.
- 13.42 Planned Unit Development, lists specific requirements for the development of this type of use. The ordinance covers minimum areas, open space requirements, signing and lighting, fencing requirements, grading and drainage, etc. This will be reviewed further during the analysis of the Preliminary Application.
- Because this lot will be subdivided, a subdivision amendment is required. The private roadway will also have to conform to City standards for a private roadway (Ordinance 14.12.130).
- Requirements of all applicable reviewing agencies shall be followed. Reviewing agencies outside of the various City departments include, The Unified Fire Authority, Salt Lake Valley Health Department, Taylorsville-Bennion Improvement District (water and sewer). Request for recommendations will be sent to all applicable agencies at the time of preliminary approval.
- **COMMON SPACE:**

The main common space where the tot lot is may not be in the best place. It is located in a spot where it has streets on three sides. It is also on one side of the development. Moving the main open space to the center of the development will make it more accessible to everyone who may live or visit the development. This could be accomplished by relocating 2 or 3 of the uphill units and placing the open space between the structures. Similarly, a short fence (3 or 4 feet high) along 6200 South would provide some safety to people using the common space, particularly children who may wander onto 6200 South. This was a condition of approval of the original conditional use and should be carried over to this amendment as well.

- **SIDEWALKS:**

The site plan does not show sidewalks along the private street. There are walkways that lead to it and end at the roadway. Placing sidewalks and striped street crossing along the private drive would make the site safer for pedestrians. Also, there are no walkways that connect the uphill units to the downhill units.

- **GARBAGE COLLECTION:**

Garbage collection may be an issue with this development. Salt Lake County Sanitation will provide garbage collection on private roadways with a Private Road Agreement. They have indicated that a street width of 30 feet is preferable, however, if a road is narrower they still may be able to provide service. A recommendation will be sent to Sanitation as part of the preliminary review.

1.2 **DISCUSSION:**

- **Commissioner Rushton-Carlson** wanted to know if this is a planned unit development or a condominium project and was informed it was a PUD/Dwelling group. [18:06:46](#) **Commissioner Rushton-Carlson** asked if that would split up the ownership and **Mr. Norris** said that the Planning Commission has the authority to change that. [18:07:55](#)
- **Commissioner Overson** [18:08:27](#) asked if Ivory was appealing what the Commission previously approved. **Mr. Norris** advised that is pending the amended site plan issue and that Ivory has indicated they would drop their appeal in that event. [18:08:46](#)
- **Mr. McGrath** gave a history [18:09:21](#) of events thus far. That the City had consulted with a professional land use attorney, Neil Lindberg because John Brems (City Attorney) declared a conflict of

interest because he lives in Ivory Highlands. Mr. Lindberg was asked to review the appeal. There were areas of the Planning Commission's original approval that he felt were rock solid. Others he felt were dependent upon which judge was involved if it ever got to that point. During discussion with the land use attorney, the idea surfaced of the City's ability to vary the zoning ordinance to consider this as dwelling group. That eliminates the gray area in terms of residential development in a commercial zone and clarifies the rules. Staff met with Mr. Gamvroulas and Mr. Stevens from Ivory and floated the idea. They were essentially supportive of it, indicating they needed to have at least the high end of 30 units to make this work economically. Ivory decided to eliminate the commercial on the corner and spread the units out over the entire parcel. The number of units is essentially the same but the density has gone down. Under the dwelling group ordinance, the road now becomes private rather than public. Tonight's proposal is a compromise that is legally supported and has the support of staff and the applicant. Staff is presenting it to the Commission tonight for input and discussion. Essentially at this point, Ivory has appealed the original Planning Commission decision. If this idea is going to work, Ivory will eliminate the original appeal but they want to keep their options open at this point.

- **Commissioner Rushton-Carlson** [18:12:17](#) stated that apparently the Planning Commission is being asked to reduce the 16' space between some of the units to a lesser amount and to reduce the road to 27'? **Mr. Norris** suggested that the road width not be reduced because the Salt Lake County Sanitation District has stated they want 30'. **Commissioner Rushton-Carlson** asked about the Cisco Ridge Road right of way of 50'? **Mr. Norris** said it is accessed off of 2200 West which meets that requirement of 66'. **Commissioner Rushton-Carlson** wanted staff to address the building heights. **Mr. Norris** advised that the building height will be given a more thorough analysis under the preliminary review. All the house plans for each lot are on file for review now. Some elevations, especially on the downhill structures may change somewhat because of the differing sizes.
- **Commissioner Smith** [18:14:24](#) asked if this new plan is encroaching southward. **Mr. Norris** said that the south property line will not change. **Commissioner Smith** wanted to know if they are using the number of units in relationship to the whole development. **Mr. Norris** said that the General Plan for the area which has a 3.2 to 3.5 density rating, even with the 38 units, this project is well within those guidelines. When there is a specific density listed in the Zoning Ordinance, that is law and trumps the guidance received from the General Plan, which is an advisory document. Therefore the nine units per acre applies.
- **Commissioner Overson** wanted to know if the distance between buildings is 16' because staff previously reported that it varies from 14' to over 20'. [18:16:54](#) **Mr. Norris** said that when he measured it on the full size drawings, there are some portions of walls in that area that do measure 20' and some 16'. One other issue is there are a couple of walkways between the downhill units but there are none between the uphill units and there is no indication of any sort of internal sidewalks or paths along that private drive. That should be kept in mind in case the road needs to be widened, which would create the need to push the buildings closer to 6200 South and take out some of the open space.
- **Mr. McGrath** asked to see a copy of previous site plan and Mr. Norris did not have it with this presentation tonight. [18:18:00](#) **Mr. McGrath** pointed out some key differences. Essentially the primary one being that the buildings have been reoriented. They previously were situated in the north and south direction and created a series of small court yards. Now they face 6200 South with the garages facing the spine alley in between. At staff level it was felt that there are elements of the previous proposal they liked better and there are elements of the new proposal that are considered nicer. A couple of primary benefits with the new proposal is that the units are more spread out. Another benefit is the driveway length for the units backing onto the alleyway. When turned the previous direction they were 90° and had very short driveways, about 4 or 5' in length. The longer driveways would allow double the amount of parking for each unit. That is one problem with this proposal is the lack of guest parking. [18:18:47](#) People would have the ability to have guest parking along some of the upper public roadways of Ivory Highlands. Parking becomes more problematic along 3200 West and even more so along 6200 South where no parking will be permitted. Staff feels it is important to get some level of additional guest parking. Perhaps some perpendicular parking could be installed adjacent to the green space wherever it ends up being. There may be some potential for some parallel parking on the street but the entire issue of adequate parking needs to be addressed.
- **Commissioner Daniels** asked Mr. McGrath to address the additional parking proposed by the green space. **Mr. McGrath** said Staff feels there is a better location for the green space (indicated where on the image). If it is pulled off the road somewhat, it would be a problem to have perpendicular parking, 90° to the alleyway, parallel to the driveways, at this location because of cars coming around the corner.

If one of the buildings were moved closer to the corner, the same issue would still exist with private driveways rather than guest parking. There would probably be room for six to eight perpendicular parking stalls based on the size of the open space. **Commissioner Daniels** expressed the view that possibly move the open space towards the center, keep the same amount of open space, and put the parking down there. He did not propose putting parking adjacent to the open space. **Mr. McGrath** added that it is pretty tight and unfortunately the area where there is a little flexibility is limited as to what can be done with it. Obviously the majority of the green space is adjacent to 6200 South. At this point it is an issue that needs resolution. [18:22:29](#)

- **Commissioner Rushton-Carlson** asked if there was room in the middle at the other end for guest parking. **Mr. McGrath** advised there may be room for three or four parallel parking spaces in that area.
- **Commissioner Overson** asked what the appropriate amount of parking stalls that would need to be added would be. **Mr. Norris** said that the parking ordinance does not address guest parking. Each dwelling is required to have two off street parking areas and those requirements are being met with the double car garages and double wide driveways. It could be an issue for social events.
- **Commissioner Bolton** wanted to know if Taylorsville allows stacked parking, counting the garage and driveway as four stalls. **Mr. Norris** said that the City would consider that because the ordinance does not differentiate whether it is in a garage or driveway. [18:24:08](#)
- **Commissioner Rushton-Carlson** asked if there were any room to put a pathway through that part of it. **Mr. Norris** felt that would cause the shift the uphill buildings to the north to accommodate that. The downhill units probably cannot be shifted any further.

1.3 **APPLICANT ADDRESS:** **Gonsalvo Stevens** (Representing Ivory Development) [18:25:05](#) **Mr. Stevens** commented that he was just at the meeting this evening to answer questions. [18:25:24](#) He expressed surprise at the requirement discussed this evening about the 30' wide road. He added that most of the roadways in Ivory Highlands are 50' right of way. From right of way line up to the pavement is 10', which leaves 30' or the minimum requirement. This proposal is at 27' to be in compliance with the fire department requirement, which they determined to be more important than the trash collection issue. With the 27', parking can actually be accommodated along that road. The fire issue was that if it was less than 27' no parking would be allowed. So an extra foot was added to accommodate both the road width and parking. To add more width would sacrifice some of the open space on the north. On the parking, the requirement is two parking stalls per unit and there are actually 4.5 stalls per unit right now. He pointed out on the image where they are proposing extra parking stalls.

- **Commissioner Overson** commented that she liked the way that the buildings have been turned on 6200 South. She agreed with Staff that the open space needs to be moved to a more central location. That would create more of a feeling of security for the children. On the last plan there were walkways between each of the buildings on the slope. She felt those walkways on the south end ought to connect or there ought to be some stamping on the road or something to delineate that the walkways continue and not end at the road. If the open space were moved more to the center, it would be nice if the walkways connected thereto in some manner. She wanted to make sure that a sidewalk is provided along the outer edge. **Mr. Stevens** said that it wasn't shown on the proposal but the sidewalk will continue all the way around. [18:29:16](#)
- **Commissioner Rushton-Carlson** wanted to know if the developer preferred to widen the road or to have private garbage collection. **Mr. Stevens** was not aware of the garbage collection issue so could not comment on that at this point. He said that if they were to keep it that width and then not provide public garbage, a private entity would take care of that. He was not sure how wide Ivory wanted the private road. **Commissioner Rushton-Carlson** said that the City ordinance says it must be 30'.
- **Commissioner Jensen** [18:35:07](#) indicated that he liked the new plan but was also concerned about the open space and was in favor of moving it to the center. He was concerned about the side view and slope, saying that he could envision children gathering there in the winter time and sliding down the hill into the street. He wanted to see some kind of 6' fence along 6200 South to provide security from the road, preferably wrought iron to discourage graffiti and to withstand the high winds along there. He was in favor of the walkways as proposed and agreed that there needed to be some connection from them to the open space. He felt this proposal was a great alternative to having a retaining wall there. He was definitely in favor of the new plan.
- **Commissioner Daniels** [18:37:10](#) said that he is a fan of good, decent open space and encouraged Ivory to maximize that to the fullest extent possible. It will add to the integrity of the overall property

and an ingredient towards building a community there. Even if the parking spaces have to be minimized, this is far more important. He asked that the issue of the view corridor be addressed. Sometimes when there are single story buildings adjacent to a two story development, there will be adverse comments from the neighbors. **Mr. Stevens** advised that [18:39:02](#) the neighbors are aware of the plan and have tried to respond to their concerns. One problem with the elevation was the building on the end, so it was moved 28' to the east. He felt the natural slope of the site negated any site view problems created by the buildings.

- **Commissioner Jensen** [18:39:27](#) wanted to know if this would be a fully landscaped community when completed and what was envisioned between the structures where the ground is so steep. **Mr. Stevens** said much of the steep slopes were accommodated by the way the buildings are being arranged. The longest drop was about eight feet and they had about 50 feet to allow for that incline. That would be about 7%, and not a problem. With this plan, all retaining walls have been eliminated and accommodated by the way the buildings are being situated. **Commissioner Jensen** continued that not only did there have to be access for garbage trucks but also emergency vehicles, therefore, wanted to know if the fire department had expressed a preference on the width of the roadway. **Mr. Stevens** said the response they received from the fire department was that the 27' width was adequate as long as there is "no parking" signs posted on the road.
- **Commissioner Bolton** [18:41:32](#) asked about the open space calculation, wanting to know if it included the roadway. **Mr. Norris** said that it only included the green space. **Commissioner Bolton** continued that on the rear setback on the south, it was not shown on the dimension plan and looked to be very tight. **Mr. Stevens** said it is the same as the original plan and was in accordance with the ordinance. **Commissioner Bolton** supported the idea of moving the open space to the middle and possibly to the south side of the road and to try to incorporate it so it pulls the existing Ivory Highlands development into this one and try to make it more of a neighborhood, perhaps by a path system. **Mr. Stevens** said they had looked at that possibility, however, the units on the south are a different type of unit and Ivory would like to have more of those types of units towards the north. In trying to reach an amenable agreement with the City, one unit has already been lost, so he doubted that Ivory would go along with losing more. **Commissioner Bolton** did not feel that losing a couple of units would financially impact this project. He added that the road should be kept at the 30' width as shown in the ordinance for safety reasons.

1.4 **Commissioner Overson** thanked Mr. Stevens, Staff and the Commission for the comments provided. She added that since this is conceptual review, no motion is necessary by the Commission.

DISCUSSION ITEMS

2. Discussion in regards to the value of street trees. (Michael Maloy/City Planner)
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Mr. Maloy gave this presentation focusing on potential membership in Tree City USA for Taylorsville. He gave an overview of the following four standards that a City must meet in order to qualify: (1) A Tree Board or Department; (2) A Tree Care Ordinance; (3) A Community Forestry Program With an Annual Budget of at least \$2.00 per capita; (4) An Arbor Day Observance and Proclamation. [18:45:27](#) **Mr. Maloy** also provided pertinent information on availability of programs to assist in making this happen.

- **Commissioner Overson** commented that one problem is trees in shopping districts. Case in point is that DDR for the Family Center did not want trees planted because it blocked the store frontages within the Center. [19:06:30](#) She also said that there had been a campaign years ago to plant more trees along 4800 South, however, the power lines posed too much of a problem. The obvious answer would be to bury the power lines.
- **Mr. Maloy** added that the City needs to devise a program to let the people know that it is supportive of planting trees. [19:12:21](#)
- **Commissioner Smith** proposed adding this to school curriculum to promote interest. **Mr. Maloy** felt that was a good idea and suggested holding Arbor Day events and poster drawing competitions in support of having more trees. [19:12:41](#)
- **Commissioner Rushton-Carlson** suggested a series of articles be published in the local newspaper about the value of trees.
- **Commissioner Daniels** thanked Mr. Maloy for his presentation and proposed that he move forward to seek the available assistance to implement this program here. [19:16:03](#)

3. **Rocky Mountain Land Use Institute Conference.** (Nick Norris/City Planner)

3.1 **Mr. Norris** having recently attended the Rocky Mountain Land Use Institute Conference in Denver, Colorado, gave a summary of the sessions and mobile workshops that he attended. He advised that the main focus of the conference was recent Supreme Court land use decisions, sustainable development, quality of life and innovative techniques in land planning/development.

- Commissioners thanked Mr. Norris for his very informative presentation.

4. **Case Study Presentation – Kayenta, Utah.** (Mark McGrath/Director)

4.1 **Mr. McGrath** gave a visual case study presentation of elements of this forward-looking project in Kayenta, Utah, a planned development outside of St George. That while it is a totally different environment than exists in Taylorsville the message of Kayenta is one of context and compatibility with surroundings, which is appropriate anywhere - in a desert, forest, historic district or downtown region. Kayenta was designed around four dimensions – being natural, quiet, spacious and harmonious. The project was started in the mid-1980's, consists of about 2,000 acres, with average lot size being one acre, with about 500 lots having been platted and 280 homes constructed so far. It is expected to be built out in 15-30 years. There is an architectural control committee that very strictly regulates color, setbacks, height and coverage on the individual lots. **Mr. McGrath** gave comparisons between this project and others presently going on in St George where land owners are doing everything possible to maximize their development potential such as re-contouring the earth to assure they get as many building lots as possible.

- Commissioners thanked Mr. McGrath for his very informative presentation.

OTHER BUSINESS:

At the suggestion of **Mr. McGrath**, Commissioners voted to cancel the work session meeting scheduled for April 25, 2006 due to conflicts with two staff members and one commissioner attending the American Planning Association Conference.

ADJOURNMENT: By motion of Commissioner Rushton-Carlson, the meeting was adjourned at 8:15 p.m.

Respectfully submitted by:

Jean Gallegos, Administrative Assistant
Planning Commission

Approved in meeting held on June 27, 2006.